

1 UNITED STATES BANKRUPTCY COURT

2 SOUTHERN DISTRICT OF NEW YORK

3 Case No. 08-01789(BRL)

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5 In the Matter of:

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7 SECURITIES INVESTOR PROTECTION

8 CORPORATION,

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10 Debtor.

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13 U.S. Bankruptcy Court

14 One Bowling Green

15 New York, New York

16

17 September 17, 2013

18 10:15 AM

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20 B E F O R E :

21 HON BURTON R. LIFLAND

22 U.S. BANKRUPTCY JUDGE

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1 Hearing re: (cc-5419) Trustee's Amended Motion for an
2 Order: (I) Establishing Procedures for Third-Party Data
3 Rooms; and (II) Modifying the June 6, 2011 Litigation
4 Protective Order (related document(s) 4137, 4624)

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25 Transcribed by: Dawn South

1 A P P E A R A N C E S :

2 BAKER & HOSTETLER LLP

3 Attorney for the Trustee

4 45 Rockefeller Plaza

5 New York, NY 10111-0100

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7 BY: SARAH JANE T.C. TRUONG, ESQ.

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1 P R O C E E D I N G S

2 MS. TRUONG: Good morning, Your Honor.

3 THE COURT: Good morning.

4 MS. TRUONG: Sarah Jane Truong from Baker
5 Hostetler on behalf of the trustee.

6 And before Your Honor today is the trustee's'
7 motion filed on July 24th, 2013 seeking entry of orders that
8 will establish procedures for third-party data rooms that
9 will contain documents produced to the trustee by third
10 parties and also seeking entry of an order that modifies the
11 litigation protective order in limited part.

12 The -- we believe that the trustee's motion will
13 help facilitate efficient and cost-effective discovery over
14 third-party documents in the trustee's possession, and we
15 believe that this will balance three prevailing interests.

16 First is the interest of defendants in non-
17 avoidance actions to obtain documents in the trustee's
18 possession from third parties that these defendants deem to
19 be relevant to the adversary proceedings brought by the
20 trustee.

21 Second to balance the -- to enable the trustee to
22 comply with his discovery obligations pertaining to these
23 third-party documents.

24 And thirdly to enable the producing parties to
25 protect any confidentiality of their documents.

1 The trustee's motion was filed on July 24th, 2013,
2 the trustee filed a reply brief on August 28th, 2013, the
3 objection deadline was also August 28th. No objections were
4 filed and so the motion is unopposed and the trustee
5 respectfully requests that Your Honor enter the orders as
6 submitted to this Court on August 28th, 2013.

7 THE COURT: Does anyone want to be heard? There's
8 no response.

9 Your application is granted.

10 MS. TRUONG: Thank you, Your Honor.

11 (Whereupon these proceedings were concluded at 10:17
12 AM)

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I N D E X

RULINGS

Page Line

Trustee's Amended Motion for an Order: (I)

Establishing Procedures for Third-Party Data

Rooms; and (II) Modifying the June 6, 2011

Litigation Protective Order (related

document(s) 4137, 4624)

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C E R T I F I C A T I O N

I, Dawn South, certify that the foregoing transcript is a
true and accurate record of the proceedings.

Dawn
South

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Date: September 18, 2013